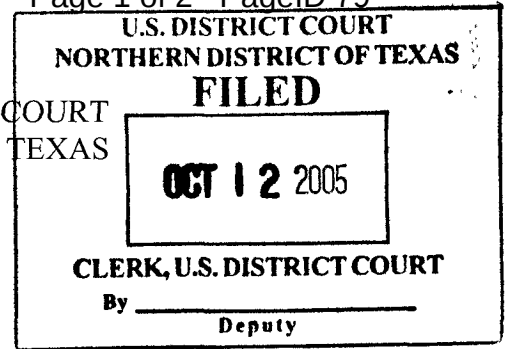


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



TONY LYNN HAILEY,

Petitioner,

v.

DOUGLAS DRETKE, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

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2:05-CV-0246

ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION,
and DENYING PETITION FOR A WRIT OF HABEAS CORPUS

Petitioner has filed with this Court a petition for a writ of habeas corpus challenging a prison disciplinary case. On September 20, 2005, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the petition for a writ of habeas corpus be denied as petitioner is not eligible for mandatory supervised release and did not lose any previously accrued good time credits. On October 4, 2005, petitioner filed, by way of a pleading entitled as a motion for leave to file an amended complaint, objections to the Report and Recommendation contending he has been given unexcused absences as part of an “ongoing punishment” for filing a life endangerment complaint and that such denial of work time credits is affecting the length of his confinement for purposes of challenging a prison disciplinary proceeding by way of federal habeas corpus. Petitioner did not submit, with his objections, any evidence that the disciplinary proceeding resulted in the loss of *previously*

accrued good time credits, nor does he challenge the finding that he is not eligible for mandatory supervised release.

The undersigned United States District Judge has made an independent examination of the record in this case. Petitioner's objections are without merit and are hereby OVERRULED. The Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus filed by petitioner is hereby DENIED.

IT IS SO ORDERED.

ENTERED this 12th day of October 2005.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE